

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

ANNALISA VIEIRA, individually and on behalf of her
infant child A.V.,

Plaintiffs,

-v-

ISAIAH HEADLEY, et al.,

Defendants.

CIVIL ACTION NO.: 21 Civ. 648 (PAC) (SLC)

ORDER

SARAH L. CAVE, United States Magistrate Judge.

Pursuant to the discovery conference held today, January 14, 2022, the Court orders as follows:

1. By **January 21, 2022**, Defendants shall:

- a. email (Cave_NYSDChambers@nysd.uscourts.gov) or deliver to Chambers an unredacted copy of the Administration for Children's Services ("ACS") Form "865D" that was completed with respect to Plaintiff A.V.;
- b. contact former New York City Police Department officer "Costello" and ascertain whether he possesses any memo book(s) with entries relating to Plaintiffs on March 4, 2018 or March 5, 2018. If Costello possess any such records, Defendants shall promptly produce copies of the relevant entries;

2. By **February 4, 2022**, Defendants shall:

- a. Review ACS time records for March 4, 2018 and March 5, 2018 to ascertain whether any individual with last name "Sagnan" was on the Emergency Child Services Team on either date, and if so, whether the individual(s) possesses

related field notes. If any such field notes exist, Defendants shall produce copies. If no individual with last name “Sagnan” was on the Emergency Child Services Team on either date, Defendants shall provide Plaintiffs with an affidavit from an individual with knowledge attesting to that fact;

- b. Provide Plaintiffs with an affidavit from an individual with knowledge of the recordkeeping procedures of the ACS Children’s Center who will attest: (i) that the standard practice of the ACS Children’s Center is to record the name(s) of children in a log on the date(s) of arrival and departure; and (ii) that he/she reviewed the log for March 4, 2018 and March 5, 2018 and that Plaintiff A.V.’s name does not appear;
- c. Ascertain whether a Sprint Narrative of the March 4, 2018 911 call (see ECF No. 1 ¶ 22) exists and, if so, produce a copy;
- d. Attempt to locate the missing pages from the previously produced records of 2008, 2012, and 2014 ACS investigations into Plaintiff(s) and, if found, produce copies;
- e. Attempt to locate the Family Visitation Improvement Action Plan, dated April 2005 (the “Plan”), and any modifications to the Plan between 2005 and 2018, and, if found, produce copies;
- f. Produce a copy of ACS Procedure 105 regarding the emergency approval of foster homes;
- g. Produce a blank copy of ACS Home Study Form CM912X;

3. The discovery schedule is extended as follows:
 - a. Fact discovery shall be completed by **March 31, 2022**;
 - b. By **April 7, 2022**, the parties shall file a joint letter certifying the completion of fact discovery;
 - c. Expert discovery shall be completed by **May 16, 2022**;
 - d. By **May 23, 2022**, the parties shall file a joint letter certifying the completion of expert discovery;
4. By **January 24, 2022**, Defendants' substitute counsel shall file a notice of appearance. Notwithstanding the change in counsel, Defendants are expected to promptly resolve the remaining discovery issues in accordance with the terms of this Order;
5. A Telephone Conference is scheduled for **Thursday, February 10, 2022 at 12:00 pm** on the Court's conference line. The parties are directed to call: (866) 390-1828; access code: 380-9799, at the scheduled time.

This order resolves Plaintiffs' letter-motion to compel at ECF No. 27, which the Clerk of the Court is respectfully directed to close.

Dated: New York, New York
January 14, 2022

SO ORDERED.



SARAH L. CAVE
United States Magistrate Judge